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1) Ex. Albert Mark Navarro Group Art Unit 1645	USPTO	703-872-9306	
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From: Jeffrey A. Lindeman	Date: November 2, 2004	No. of Pages: 28 (including this page)	Client/Matter: 032034-001000
<b>Comments:</b>			
<p>Re: U.S. Patent Application No. 09/842,776          Filed: April 27, 2001; By: Christian Reiter et al.          Title: Method for Detecting Acid-Resistant Microorganisms In The Stool</p>			
<p><u>Attached please find:</u></p> <p>Transmittal Sheet          Amendment w/enclosures: Application Data Sheet          Official Filing Receipt          Fee Transmittal Form dated 4/21/01          Budapest Treaty Deposit Receipts (4)</p>			
<p><b>CERTIFICATE OF TRANSMISSION</b></p> <p>I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office: Fax No. (703) 872-9306 on November 2, 2004.</p>  <p>Shoshone Abdulkarem</p>			

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PTO/SB/21 (08-00)

Approved for use through 10/31/2002. GMB 0651-0031

U.S. Patent and Trademark Office U.S. DEPARTMENT OF COMMERCE

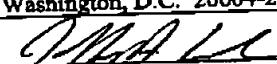
OMB Control Number

<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence after initial filing)</i>		Application Number	09/842,276
		Filing Date	April 27, 2001
		First Named Inventor	Christian Reiter
		Group Art Unit	1645
		Examiner Name	Albert Mark Naarro
Total Number of Pages in This Submission	27	Attorney Docket Number	032034-1000

## ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers <i>(for an Application)</i>	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input checked="" type="checkbox"/> Other
<input checked="" type="checkbox"/> Amendment / Reply	<input type="checkbox"/> Declaration and Power of Attorney	Enclosures:
<input type="checkbox"/> After Final	<input type="checkbox"/> Licensing-related Papers	Application Data Sheet Official Filing Receipt Fee Transmittal Date 4/21/2001 Budapest Treaty Deposit Receipts (4)
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition	
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Petition to Convert to a Provisional Application	
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	
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<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application	<input type="checkbox"/> CD, Number of CD(s)	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		
Remarks <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees required or credit any overpayments to Deposit Account No. 19-2380 for the above identified docket number.		

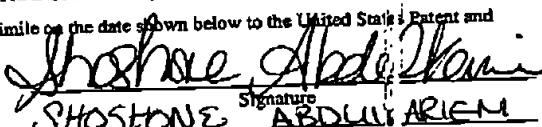
## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Jeffrey A. Lindeman, Reg. No. 34,658 Nixon Peabody LLP 401 9 <sup>th</sup> Street, N.W. Suite 900 Washington, D.C. 20004-2128
Signature	
Date	November 2, 2004

## CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

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October 27, 2004  
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NO. 1320 P. 23

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APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY.DOCKET.NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/842,776	04/27/2001	1651	355	41735		6	3

CONFIRMATION NO. 4137

## FILING RECEIPT



"DC0000000008520013"

Dean H. Nakamura  
 Roylance, Abrams, Berdo & Goodman, L.L.P.  
 Suite 600  
 1300 19th Street, N.W.  
 Washington, DC 20036-2680

Date Mailed: 09/06/2001

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

Christian Reiter, Residence Not Provided;  
 Gerhard Cullmann, Residence Not Provided;  
 Ulrike Heppner, Residence Not Provided;  
 Meret Lakner, Residence Not Provided;  
 Achim Ringeis, Residence Not Provided;

## Domestic Priority data as claimed by applicant

THIS APPLICATION IS A CON OF PCT/EP99/08212 10/29/1999

## Foreign Applications

EUROPEAN PATENT OFFICE (EPO) 98 120517.2 10/29/1998  
 EUROPEAN PATENT OFFICE (EPO) 98 120687.3 11/06/1998

JHN

If Required, Foreign Filing License Granted 09/06/2001

Projected Publication Date: To Be Determined - pending completion of Missing Parts

Non-Publication Request: No

Early Publication Request: No

\*\* SMALL ENTITY \*\*

Doc'd \_\_\_\_\_ File # 41737  
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 ROYLANC ABRAMS  
 BERDO & GOODMAN, L.L.P.  
 BY \_\_\_\_\_

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NO. 1320 P. 24

Page 2 of 3

**Title**

New method for detecting acid-resistant microorganisms in the stool

**Preliminary Class**

435

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Data entry by : AMARE, TSION

Team : OIPE

Date: 09/06/2001



**FEE TRANSMITTAL FORM**

Attorney Docket No.: 41735

ASSISTANT COMMISSIONER OF PATENTS  
 BOX: PATENT APPLICATION  
 Washington, D.C. 20231

Transmitted herewith for filing is the patent application of

Inventors: Reiter, Christian; Cullmann, Gerhard; Friedrichs, Ulrike; Heppner, Petra;  
 Lakner, Meret; and Ringels, Achim

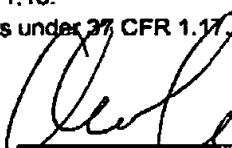
For: DETECTION OF ACID-RESISTANT MICROORGANISMS IN STOOL

The filing fee has been calculated as follows:

(Col. 1)	(Col. 2)	SMALL ENTITY	OTHER THAN A SMALL ENTITY
FOR:	NO. FILED	NO. EXTRA	RATE      FEE
<b>BASIC FEE</b>			\$355.00
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<input type="checkbox"/> MULTIPLE DEPENDENT CLAIMS			+ 130 = \$
If the difference in Col 1 is less than zero, enter "0" in Col 2		<b>TOTAL</b>	<b>\$355.00</b>
			OR      RATE      FEE
			OR      x 18 = \$
			x 78 = \$
			+ 260 = \$
			<b>TOTAL</b> \$

- This application is being filed without an executed oath or declaration. The application is a continuation of PCT Ser. No. EP99/08212 filed 29 October 1999, which claims benefit to EP Ser. No. 98 120517.2 filed 29 October 1998 and to EP Ser. No. 98 120687.3 filed 6 November 1998.
- Kindly cancel without prejudice claims 5-12 and 15-53.
- Kindly charge the filing fee of \$355.00 to cover the above-calculated filing fee to Deposit Account No. 18-2220.
- The Commissioner hereby is authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 18-2220. A duplicate copy of this sheet is attached.
  - Any additional excess claim fees under 37 CFR 1.16.
  - Any additional patent application processing fees under 37 CFR 1.17.

Dated: 27 April 2001

  
 Dean H. Nakamura  
 Attorney of Record.  
 Reg. No. 33,981

Roylance, Abrams, Berdo & Goodman, L.L.P.  
 1300 19<sup>TH</sup> Street, N.W., Suite 600  
 Washington, D.C. 20036-2680  
 (202) 659-8076

[Page 2 of 2]

BUDAPEST TREATY ON THE INTERNATIONAL  
RECOGNITION OF THE DEPOSIT OF MICROORGANISMS  
FOR THE PURPOSES OF PATENT PROCEDURE

## INTERNATIONAL FORM

Connex GmbH  
Am Klopferspitz 19  
82152 Martinsried

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INTERNATIONAL DEPOSITORY AUTHORITY  
identified at the bottom of this page

## I. IDENTIFICATION OF THE MICROORGANISM

Identification reference given by the DEPOSITOR:

HP 16m/2A5-E6-E5

Accession number given by the  
INTERNATIONAL DEPOSITORY AUTHORITY:

DSM ACC2356

## II. SCIENTIFIC DESCRIPTION AND/OR PROPOSED TAXONOMIC DESIGNATION

The microorganism identified under I. above was accompanied by:

a scientific description  
 a proposed taxonomic designation

(Mark with a cross where applicable).

## III. RECEIPT AND ACCEPTANCE

This International Depository Authority accepts the microorganism identified under I. above, which was received by on 1998-06-11  
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## IV. RECEIPT OF REQUEST FOR CONVERSION

The microorganism identified under I. above was received by this International Depository Authority on (date of original deposit)  
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## V. INTERNATIONAL DEPOSITORY AUTHORITY

Name: DSMZ-DEUTSCHE SAMMLUNG VON  
MIKROORGANISMEN UND ZELLKULTUREN GmbH

Address: Mascheroder Weg 1b  
D-38124 Braunschweig

Signature(s) of person(s) having the power to represent the  
International Depository Authority or of authorized official(s):

*U. J. J. J.*

BUDAPEST TREATY ON THE INTERNATIONAL  
RECOGNITION OF THE DEPOSIT OF MICROORGANISMS  
FOR THE PURPOSES OF PATENT PROCEDURE

## INTERNATIONAL FORM

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HP 15m/3E8-D9-D6

Accession number given by the  
INTERNATIONAL DEPOSITORY AUTHORITY:

DSM ACC2355

## II. SCIENTIFIC DESCRIPTION AND/OR PROPOSED TAXONOMIC DESIGNATION

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D-38124 Braunschweig

Signature(s) of person(s) having the power to represent the  
International Depository Authority or of authorized official(s):

*V. Weiles*

**BUDAPEST TREATY ON THE INTERNATIONAL  
RECOGNITION OF THE DEPOSIT OF MICROORGANISMS  
FOR THE PURPOSES OF PATENT PROCEDURE**

INTERNATIONAL FORM

Connex GmbH  
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HP 8m/4HS-D4-C9

Accession number given by the  
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DSM ACC2360

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( ) a proposed taxonomic designation

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Address: Mascheroder Weg 1b  
D-38124 Braunschweig

Signature(s) of person(s) having the power to represent the  
International Depository Authority or of authorized official(s):

*U. G. Leis*

BUDAPEST TREATY ON THE INTERNATIONAL  
RECOGNITION OF THE DEPOSIT OF MICROORGANISMS  
FOR THE PURPOSES OF PATENT PROCEDURE

## INTERNATIONAL FORM

Connex GmbH  
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## I. IDENTIFICATION OF THE MICROORGANISM

Identification reference given by the DEPOSITOR:

HP 9.1m/3C2-F8-E2

Accession number given by the  
INTERNATIONAL DEPOSITORY AUTHORITY:

DSM ACC2362

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a scientific description  
 a proposed taxonomic designation

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